

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

JASON GOODMAN

Plaintiff,

vs.

CHRISTOPHER ELLIS BOUZY, BOT
SENTINEL, INC, GEORGE WEBB
SWEIGERT, DAVID GEORGE SWEIGERT,
BENJAMIN WITTES, NINA JANKOWICZ,
ADAM SHARP, MARGARET ESQUENET,
THE ACADEMY OF TELEVISION ARTS
AND SCIENCES, SETH BERLIN,
MAXWELL MISHKIN

Defendants

Case No.: 1:21-cv-10878-AT-JLC

**REQUEST FOR JUDICIAL NOTICE OF
FACTS RELATED TO SERVICE OF
PROCESS UPON ADAM SHARP AND
FOR AN EVIDENTIARY HEARING ON
RELATED EVIDENCE**

Pro Se plaintiff Jason Goodman (“Goodman”) respectfully submits this request for judicial notice of relevant facts and an oral argument hearing on the evidence. Goodman alleges as follows, upon actual knowledge with respect to himself and his own acts, and upon information and belief as to all other matters.

DELIBERATE UNDUE DELAY

1. Refusal to Meet and Confer

At approximately 1:30pm on or about January 23, 2023, Goodman sent an email to defendant Margaret Esquenet (“Esquenet”) seeking a waiver of service requested for Esquenet, Adam Sharp (“Sharp”) and ATAS (“ATAS”). **(EXHIBIT A)**

REQUEST FOR JUDICIAL NOTICE OF FACTS RELATED TO SERVICE OF PROCESS
UPON ADAM SHARP AND FOR AN EVIDENTIARY HEARING ON RELATED
EVIDENCE - 1

1 Goodman received no response to the email. The following day, January 24, 2023, Goodman
2 sent another email, informing Esquenet, “You have ignored my most recent emails” and included
3 the amended complaint (ECF No. 100) and a request for waiver of service. **(EXHIBIT B)**

4
5 Esquenet responded to the second message, stating only, “Receipt confirmed” but providing
6 no information about her decision with regard to the waiver. Goodman responded only a few
7 minutes later, politely asking “Please sign and return it or indicate if you are refusing waiver of
8 service.” Esquenet responded nearly a day later at 10:25pm saying only, “As the document you
9 provided indicates, now that you have provided the waiver request, we have 30 days to accept or
10 reject the request. We are discussing the matter with our clients will revert in due course.”

11 **2. Ghost Writing Pleadings for Pro Se Defendant David George Sweigert**

12
13 On or about March 1, 2023, defendant David George Sweigert (“Sweigert”) filed a NOTICE
14 OF DEFENDANT’S REPLY TO PLAINTIFF’S RESPONSE IN OPPOSITION TO MOTIONS
15 TO DISMISS (ECF No 143). This filing is notable because it contains a dramatically larger
16 number of case law citations than any previous filing Sweigert has made since 2017. The filing
17 is also notable because it goes to great lengths to defend Sharp and oddly, non-party the National
18 Academy of Television Arts and Sciences (“NATAS”). The pleading conspicuously does not
19 mention ATAS, the actual named defendant in this matter. This is particularly notable because
20 Esquenet defended NATAS and Sharp in a contentious prior case against Goodman. Sharp is the
21 CEO of NATAS and Goodman alleges Sharp illegally utilized tax exempt NATAS funds to sue
22 Goodman for an ulterior and improper purpose. An appeal of that case is pending in the Second
23 Circuit Court (Docket #: 22-592cv). Sharp is CEO of NATAS, but NATAS has not been sued in
24 this matter. These outstanding and highly unusual aspects of Sweigert’s pleading, as well as past
25 REQUEST FOR JUDICIAL NOTICE OF FACTS RELATED TO SERVICE OF PROCESS
26 UPON ADAM SHARP AND FOR AN EVIDENTIARY HEARING ON RELATED
27 EVIDENCE - 2
28

1 behavior by the collective parties, and additional evidence of ongoing racketeering activity,
2 cause Goodman to allege that Esquenet and her associates at Finnegan, Henderson, Farabow,
3 Garret & Dunner, LLP (“Finnegan”) ghost wrote the pleading on Sweigert’s behalf in an effort
4 unjustly affect the outcome of this case and to avoid hiring counsel or filing a notice of
5 appearance on her own behalf.
6

7 **3. Ongoing and Continuous Violation of Local Civil Rule 37.3**

8 Upon seeing Sweigert’s suspicious pleading, Goodman sent Esquenet an email stating, “Stop
9 writing pleadings for Sweigert and respond to the waiver it's been more than 30 days.” Esquenet
10 responded two days later, informing Goodman, “As you have not requested/obtained a summons
11 from the court for Mr. Sharp, Academy of Television Arts & Sciences, or me, there is no
12 summons to waive. If and when you provide the three summonses, we can act on your request.”
13

14 On March 3, 2023, Goodman submitted three requests for subpoenas (ECF Nos. 149, 150,
15 151). Goodman received the signed subpoenas shortly thereafter and on March 13, 2023,
16 Goodman sent Esquenet an email including the three subpoenas, and the request for a waiver of
17 service. **(EXHIBIT C)**
18

19 After approximately eleven days, there was no response. This could be construed as a direct
20 deception by Esquenet who had previously indicated the only barrier to response was the
21 provision of appropriately issued summonses. Goodman sent another email saying only, “Please
22 act on this request as promised” directly citing the commitment Esquenet had made in her
23 previous message. There was still no response. Having approximately three years of experience
24 with Esquenet, Sharp and their various co-conspirators, Goodman is now aware of a long-
25 established pattern of deception. Goodman decided he had exhausted all available good faith
26

27 REQUEST FOR JUDICIAL NOTICE OF FACTS RELATED TO SERVICE OF PROCESS
28 UPON ADAM SHARP AND FOR AN EVIDENTIARY HEARING ON RELATED
EVIDENCE - 3

1 steps. Left with no other option, Goodman hired process servers to end the undue delay and
2 serve the parties with the appropriate summonses. On April 3, 2023, defendant Sharp was served
3 at his home. **(EXHIBIT D)**

4 An attempt was made to serve Esquenet, however the process server was confused when he
5 arrived at Finnegan's Washington DC office building because no suite number was provided.
6 Prior to the Washington DC process server's second attempt to serve Esquenet, and in apparent
7 response to the service upon Sharp, Mary Ann Brennan ("Brennan") one of Esquenet's
8 associates at Finnegan who is suspected of assisting Sweigert in ghost wringing pleadings, filed a
9 notice of appearance (ECF No. 173) and the appropriate waivers. No process server had yet
10 been hired to serve ATAS in Los Angeles at the time of the filing of the waivers.
11

12 The defendants' behavior in this instance does not meet the Local Civil Rule 37.3
13 requirement that parties make a good faith effort to resolve non-dispositive pretrial disputes
14 without involving the court. This is only the latest egregious example of defendants' ongoing
15 outrageous efforts to take unfair advantage of a far less sophisticated, far less experienced pro se
16 litigant, rather than rely on the law and the facts. This is precisely what these defendants have
17 endeavored to do since the genesis of this and all other mutual disputes. Because they seek to
18 achieve an ulterior goal, good faith negotiation with Goodman or reasonable approach to a
19 settlement is simply incompatible with the end Esquenet and her co-conspirators hope to achieve.
20
21

22 CONCLUSION

23 When evaluating RICO claims, courts weigh the likelihood of ongoing harm due to a
24 pattern of racketeering activity versus the possibility of a coincident, unrelated collection of
25 common business torts. Even if the Court finds Goodman's current RICO pleadings inadequate,
26

27 REQUEST FOR JUDICIAL NOTICE OF FACTS RELATED TO SERVICE OF PROCESS
28 UPON ADAM SHARP AND FOR AN EVIDENTIARY HEARING ON RELATED
EVIDENCE - 4

1 defendants' ongoing pattern of related racketeering activity continues to harm Goodman and has
2 even increased its harm as this case has proceeded. Goodman respectfully requests the Court
3 issue an order requiring defendants to reimburse Goodman for fees associated with hiring
4 process servers due to their failure to cooperate in good faith and grant an appropriate waiver
5 when requested and to further summon the parties for an evidentiary hearing to review relevant
6 evidence under oath along with any other relief the Court finds appropriate.
7

8
9 Signed this 6th day of April 2023

10 Respectfully submitted,
11

12 

13 Jason Goodman, Plaintiff, Pro Se
14 252 7th Avenue Apt 6s
15 New York, NY 10001
16 (323) 744-7594
17 truth@crowdsourcethetruth.org
18
19
20
21
22
23
24
25
26

27 REQUEST FOR JUDICIAL NOTICE OF FACTS RELATED TO SERVICE OF PROCESS
28 UPON ADAM SHARP AND FOR AN EVIDENTIARY HEARING ON RELATED
EVIDENCE - 5

(EXHIBIT A)



Waiver of service requested for Margaret Esquenet, Adam Sharp and ATAS

To: Margaret Esquenet, Katz, Seth, B. Brett Heavner, Mary Kate Brennan

Margaret,

Please sign and return the attached document.

Jason Goodman



100-main.pdf

AO 398 (Rev. 01/09) Notice of a Lawsuit and Request to Waive Service of a Summons

UNITED STATES DISTRICT COURT

for the
Southern District of New York

Jason Goodman

Plaintiff

v.

Christopher Ellis Bouzy, Bot Sentinel, Inc, George W

Defendant

Civil Action No. 1:21-cv-10878-AT-JLC

NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: Adam Sharp, Margaret Esquenet, The Academy of Television Arts and Sciences

(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

Why are you getting this?

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within 30 days (give at least 30 days, or at least 60 days if the defendant is outside any judicial district of the United States) from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

What happens next?

If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to you outside any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: 01/23/2023

Signature of the attorney or unrepresented party

Jason Goodman

Printed name

252 7th Avenue #6s
New York, NY 10001

Address

truth@crowdsourcethetruth.org

E-mail address

323-744-7594

Telephone number

Print

Save As...

Reset

(EXHIBIT B)



Jason Goodman

You have ignored my most recent emails

To: Margaret Esquenet, Cc: B. Brett Heavner, Katz, Seth, Mary Kate Brennan

January 24, 2023 at 10:40 AM

[Details](#)

Please acknowledge receipt of this email. It was originally sent yesterday and there has been no response. You have ignored my last several emails. Your conduct toward me has been unacceptable beginning in August 2020.

Jason Goodman

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Jason Goodman

Plaintiff

v.

Christopher Ellis Bouzy, Bot Sentinel, Inc, George W

Defendant

Civil Action No. 1:21-cv-10878-AT-JLC

WAIVER OF THE SERVICE OF SUMMONS

To: Adam Sharp, Margaret Esquenet, The Academy of Telev

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 01/23/2023, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 01/23/2023

Signature of the attorney or unrepresented party

Printed name of party waiving service of summons

Printed name

Address

E-mail address

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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(EXHIBIT C)

JG

Jason Goodman

Sent - trut...rcethetruth.org

March 13, 2023 at 2:05 PM

Re: Waiver of service

To: Margaret Esquenet, Cc: Katz, Seth, Brennan, Mary Kate, Heavner, B. Brett

[Details](#)

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURTfor the
Southern District of New YorkGoodman v
Bouzy...arp.pdf

Jason Goodman

Plaintiff

v.

Christopher Ellis Bouzy, Bot Sentinel, Inc, George W

Defendant

Civil Action No. 1:21-cv-10878-AT-JLC

WAIVER OF THE SERVICE OF SUMMONS

To: Adam Sharp, Margaret Esquenet, The Academy of Telev

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 03/13/2023, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 03/13/2023

Signature of the attorney or unrepresented party

Printed name of party waiving service of summons

Printed name

Address

E-mail address

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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Goodman v
Bouzy...net.pdfGoodman v
Bouzy...AS.pdf

On Mar 3, 2023, at 4:39 PM, Esquenet, Margaret <margaret.esquenet@finnegan.com> wrote:

Dear Mr. Goodman,

As you have not requested/obtained a summons from the court for Mr. Sharp, Academy of Television Arts & Sciences, or me, there is no summons to waive. If and when you provide the three summonses, we can act on your request.

Sincerely,
Margaret

Margaret A. Esquenet

Partner

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

901 New York Avenue, NW, Washington, DC 20001-4413

+1 202 408 4007 | fax +1 202 408 4400 | margaret.esquenet@finnegan.com | www.finnegan.com

<image001.png>

-

From: Jason Goodman <truth@crowdsourcethetruth.org>

Sent: Wednesday, March 1, 2023 11:10 AM

To: Esquenet, Margaret <margaret.esquenet@finnegan.com>

Subject: Waiver of service

EXTERNAL Email:

Stop writing pleadings for Sweigert and respond to the waiver it's been more than 30 days

This e-mail message is intended only for individual(s) to whom it is addressed and may contain information that is privileged, confidential, proprietary, or otherwise exempt from disclosure under applicable law. If you believe you have received this message in error, please advise the sender by return e-mail and delete it from your mailbox. Thank you.

This e-mail message is intended only for individual(s) to whom it is addressed and may contain information that is privileged, confidential, proprietary, or otherwise exempt from disclosure under applicable law. If you believe you have received this message in error, please advise the sender by return e-mail and delete it from your mailbox. Thank you.

(EXHIBIT D)

AFFIDAVIT OF SERVICE

Case: 1:21-cv-10878-AT-JLC	Court: UNITED STATES DISTRICT COURT	County: SOUTHERN DISTRICT, NY	Job: 8632359
Plaintiff / Petitioner: JASON GOODMAN		Defendant / Respondent: CHRISTOPHER ELLIS BOUZY, et al.	
Received by: Benjamin Lamb		For: Pro Se: Jason Goodman	
To be served upon: ADAM SHARP			

I, Benjamin Lamb, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents

Recipient Name / Address: ADAM SHARP, 50 DOWNS AVE, STAMFORD, CT 06902

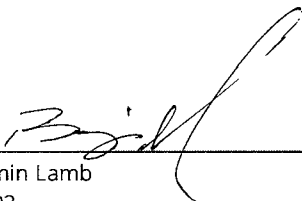
Manner of Service: Personal/Individual, Apr 3, 2023, 9:53 am EDT

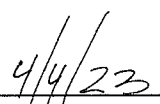
Documents: SUMMONS IN A CIVIL ACTION, PROPOSED THIRD AMENDED COMPLAINT FOR FRAUD, DEFAMATION, ABUSE OF PROCESS, CIVIL CONSPIRACY, AND RACKETEERING JURY TRIAL DEMANDED and EXHIBITS

On Apr 3, 2023, at 9:53 am EDT at 50 DOWNS AVE, STAMFORD, CT 06902 I served ADAM SHARP by delivering to and leaving a true copy of the above documents with ADAM SHARP, in compliance with state statutes.

Military Service: I asked the person spoken to whether respondent was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. *Respondent wore ordinary civilian clothes and no military uniform.* The source of my information and the ground of my belief are the conversations and observations above narrated. Upon information and belief, I aver that the respondent is not in the military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Recipient description: Age: 40-49; Ethnicity: Caucasian; Gender: Male; Weight: 200-225; Height: 6'1"; Hair: Red; Eyes: Blue;


 Benjamin Lamb
 1071492


 Date

for ;Jason Goodman